

# **Elective Home Education (EHE) Policy and Procedures**

September 2024

## **1.0 Introduction**

1.1 Central Bedfordshire local authority recognises that education is a fundamental right for every child.

1.2 Throughout this document, 'parents' should be taken to include all those with parental responsibility, including guardians (and foster carers, although in this case the local authority may be the corporate parent).

1.3 Whilst the local authority encourages and supports parents to enrol their children at school, it nevertheless recognises that parents/carers have a right to educate their children at home. The authority is committed to working in partnership with these home educating parents to help ensure that their children are provided with efficient, full-time education suitable to their age, ability, and aptitude and to any special educational needs which they might have.

1.4 Parents have a right to educate their children at home. Parents devote time, financial resources and dedication to the education of their children. Most parents who take up the responsibility of home education do a good job, and many children benefit from being educated at home.

1.5 The local authority aims to build effective and positive relationships with home educating parents and their children, relationships which are rooted in mutual understanding, trust and respect.

1.6 These procedures are intended to detail how such relationships might be developed in Central Bedfordshire. They aim to:

- clarify the legal position regarding Elective Home Education (EHE);
- identify the respective roles and responsibilities of both home educating parents and the local authority;
- establish clear, transparent and fair processes and systems.

## **2.0 What is elective home education?**

2.1 Elective home education is a term used to describe a choice by parents to provide education for their children at home, instead of sending them to school full-time. This is different to education provided by a local authority otherwise than at a school - for example, tuition for children who are too ill to attend school.

2.2. Parents who choose to educate a child in this way, rather than sending the child to school full-time, take on financial responsibility for the cost of doing so, including the cost of any external assistance used such as tutors, parent groups or part-time alternative provision. Examination costs are also the responsibility of parents.

### 3.0 Context

3.1 These procedures are based on the legislative framework established by the Education Act 1996 and incorporate the essential principles of the Department for Education (DfE) Elective home Education Departmental guidance <https://www.gov.uk/government/publications/elective-home-education>

3.2 The procedures have also been developed in the context of the duty placed on local authorities to make arrangements to safeguard and promote the welfare of children (Section 175 of the Education Act 2002).

3.3 The local authority will ensure that in discharging its EHE responsibilities it is alert and responsive to any actual or potential safeguarding concerns which may emerge, whether these concerns emerge through either the engagement, or the non-engagement, of home educating parents. Should the authority consider that any safeguarding concerns may exist it will always act accordingly.

3.4 The procedures aim to achieve an appropriate balance between the rights of home-educating parents on the one hand, and the responsibilities of the local authority on the other.

### 4.0 The Legal Background

4.1 Parents have a right to educate their children at home. Section 7 of the Education Act 1996 provides that:

*"The parent of every child of compulsory school age shall cause him to receive efficient full-time education suitable -*

*(a) to his age, ability and aptitude, and*

*(b) to any special educational needs he may have,*

*either by regular attendance at school or otherwise."*

4.2 The term "efficient" can be defined as "achieving what it sets out to achieve."

4.3 The term "full-time" has no current legal definition. Although there is no need for home education to replicate school timetables, it may nonetheless be useful for it to be borne in mind that in state schools children of compulsory school age normally receive around 4.5-5 hours of education a day, for 38 weeks a year. The department's registration guidance for independent schools sets 18 hours of operation a week as the baseline for registration of the school. Despite this greater flexibility inherent in home education, the LA should be enabled by parents to assess the overall time devoted to home education. 'Full-time' should be viewed on a continuum, but education which manifestly, is not occupying a significant proportion of a child's life (making due allowance for holiday periods) will probably not meet the Section 7 requirement.

4.4 There is no definition of a 'suitable' education in English statute law. A view of suitability based on the circumstances of each child and the education provided. However, Central Bedfordshire has a basis on which to reach the decisions called for in Section 437 of the Education Act 1996. Our decisions will be based on the following:

- Evidence of progression.
- Consistent involvement of parents or other significant carers in learning.
- Opportunities to develop English (reading, writing, speaking and listening) and maths skills.
- Recognition of the child's needs, attitudes and aspirations.
- Access to appropriate resources and learning environment.
- Opportunities to partake in physical activity.
- Opportunities to develop computing skills
- Opportunities for appropriate interaction with other children and adults.
- An education which allows for later access to further/higher education.
- An education which is aiming at enabling the child, when grown-up, to function as an independent citizen in the UK - and furthermore, beyond the community in which he or she was brought up.

Further details can be found in Appendix 2

4.5 Local authorities have a legal duty under Section 437 of the Education Act 1996 to act "if it appears" that a child of compulsory school age in their area is not receiving suitable education.

## **5.0 Responsibilities of Parents**

5.1 The responsibility for a child's education rests with his/her parents.

5.2 Parents who choose to home educate must be prepared to assume full financial responsibility for doing so, including bearing the cost of any public examinations.

5.3 Parents are not required to register or seek approval from the local authority if they wish to home educate their child. If a child is on roll at a school when the parents choose to home educate the parents should write to the headteacher of the child's school, stating an intention to home educate. Once the headteacher has received this written notification they must, immediately, delete the child's name from the school roll; the headteacher must also notify the local authority of this deletion. Having informed their child's school of their intention to home educate, parents are not required to notify or contact the local authority but are nevertheless encouraged to do so.

5.4 The only exception is if the child is on roll at a special school. In these circumstances, the parents must obtain the agreement of the local authority before the child's name is removed from the roll.

5.5 If a child is on roll at a school as a result of the local authority having previously served a School Attendance Order the parents must apply to have the order revoked before the child's name can be removed from the school roll.

5.6 The local authority is encouraged (in the 2019 DfE guidelines) to make informal enquiries of home educating parents and to ask for information. Informal enquiries can include a request to see the child, either in the home or in another location. Home-educated parents are under no legal duty to respond to such enquiries or to provide such information. Although a refusal to provide any information will in most cases justify service of a School Attendance Order.

## **6.0 Responsibilities of the Local Authority**

6.1 The local authority is responsible for ensuring that it has an EHE policy which is clear, transparent and easily accessible.

6.2 The authority will endeavour to establish positive and supportive relationships with home educating parents, recognising that they adopt a rich and diverse range of approaches to home education and use a variety of philosophies and methods.

6.3 Regarding its involvement in EHE, the local authority's primary interest lies in the suitability of the provision which home educating parents make, not their reason for choosing to home educate.

6.4 Often home education will be undertaken as a positive choice which is expected to lead to a better outcome. However in some cases home education may be attempted as a last resort and this is likely to have implications for the quality of home education provided. The local authority may suggest to the parent that a meeting be held at the school. This meeting would be to confirm that the parent is choosing to home educate for positive reasons and that the decision is being made in an informed way, with the child's best interests as the prime consideration. There would be no intention of trying to dissuade the parent from choosing to home educate, and the parent's participation in such a meeting would be entirely voluntary. If the parent declined to agree to a meeting then the suggestion would not be pursued any further.

6.5 Once the local authority has been made aware of a child being home educated they will contact the parent and suggest ways in which they can demonstrate that the education being provided is suitable.

6.6 The local authority aims to give home-educating parents every opportunity, over a reasonable period, to demonstrate that they are providing a suitable education.

The authority will ensure that its attempts to secure information from home educating parents are reasonable and proportionate.

6.7 The local authority does, however, as noted in paragraph 3.5 above, have a legal duty under Section 437 of the Education Act 1996 to act “if it appears” that a child of compulsory school age is not receiving suitable education. In this circumstance, the local authority will serve a School Attendance Order. Prior to taking any such formal action the local authority will always, unless there are exceptional circumstances, attempt to address the situation informally.

6.8 Should home educating parents decline to respond or respond without providing educational information to the informal enquiries the local authority makes, it will normally be justifiable for the authority to conclude that the child does not appear to be receiving suitable education.

6.9 The local authority will contact home education parents in accordance with our EHE review timescales, these vary in length of time from every 3 months to every 12 months, depending on several factors such as circumstances of the family and previous engagement. The aim being so that the authority may reasonably inform itself of the current suitability of the education provided. In cases where there were no previous concerns about the education provided and no reason to suspect any changes, such contact is likely to be brief. Parents will be offered a visit or meeting with the Home Education team on a regular basis.

6.10 When considering the suitability of the education, the authority recognises the limitations of an annual visit/meeting of perhaps an hour’s duration or on documentary information presented by the parents. The local authority can only say whether the education which an individual home educated child is receiving appears to be efficient, full-time and suitable to the child’s age, ability and aptitude and to any special educational needs which he/she may have.

6.11 If the local authority establishes that the child is no longer within Central Bedfordshire, the EHE officers will follow local authority’s children missing in education policy and procedures. Found [here](#)  
Further information can be found on the: [DFE guidance](#)

In addition, if the home education appears unsuitable or the EHE team have been unable have any contact a family, the child will be recorded on the child missing education database.

6.12 Families beginning home education sometimes say they are entitled to a period during which the home education provided for the child may not meet the requirements in Section 7. There is no legal basis for such a position. Families should be aiming to offer satisfactory home education from the outset. There should be no significant period in which a child is not receiving suitable education, other than reasonable holiday periods at appropriate points.

## **7.0 Responsibilities of Schools**

7.1 Schools should not advise or recommend that parents home educate, especially if a child is experiencing difficulties at school. Where the local authority becomes aware that this may have happened it will seek a meeting with the Headteacher and if appropriate alert the School Improvement Team.

7.2 When a parent notifies a school that they intend to home educate, the school should ensure that this request is confirmed in writing. Where a school has concerns that this may not be in the child's best interests, it should offer the parent a meeting and contact the Access and Inclusion Service. The school should supply a member of staff to chair the meeting and offer support and advice. If the parent refuses the offer of the meeting and insists on the child being removed from roll, then the Headteacher must do this, and ensure this information is included in the subsequent EHE and notification of removal from roll form.

7.3 Upon receipt of this written request the school should remove the child's name from the school roll as per *The Education (Pupil Registration) (England) (Amendment) Regulations 2024* and formally notify the local authority immediately that it has done so, using the EHE and notification of removal from roll form. The Local Authority should be notified where the child resides. [EHE information](#)

## **8.0 Children with Special Educational Needs**

8.1 Parents of a child with special educational needs have an equal right to home educate if they so choose. This right is irrespective of whether the child has an Education, Health and Care (EHC) plan.

8.2 As noted in paragraph 5.4 above if a child attends a special school the agreement of the local authority must be obtained before that child's name is removed from the school roll.

8.3 When a home educated child has an EHC plan the local authority remains responsible for ensuring that the child's needs are met and for maintaining the plan and reviewing it annually.

8.4 The local authority will, only agree to a child's name being removed from the roll of a special school when it has satisfied itself that the parents are able to make the provision specified in the plan.

8.5 If the authority considers that the provision specified in the plan can only be properly made by the school at which the child is enrolled (or at another similar school) it will recommend to the parents that the child returns to that school and will decline to give its agreement to the child's removal from roll.

8.6 It may be appropriate to consider ceasing to maintain the plan, if it is established that a home educated child's special educational needs are being met without any additional support from the local authority.

8.7 Parents who are home educating their child may ask the local authority to carry out an assessment or reassessment of their child's special educational needs. In such situations, the local authority must consider the request within the same statutory timescales and in the same way as for all other requests.

## **9.0 Safeguarding**

9.1 Under Section 175 of the Children Act 2002 the local authority has a general duty to safeguard and promote the welfare of children. The local authority has powers to enable it to insist on seeing children to enquire about their welfare where there are grounds for concern. Such powers, however, do not give the local authority the ability to see and speak to children who are being home-educated to establish whether they are receiving a suitable education.

9.2 The local authority will, nevertheless, aim to discharge its safeguarding functions in relation to home educated children by attempting to engage proactively with all home educating parents and will always seek to see, speak with and ascertain the views of children who are home educated. The local authority recognises that children who are home-educated are no more likely to be the subject of abuse or neglect than children who attend school.

9.3 Should any safeguarding concerns emerge during engagement with home educating families, or in consequence of a lack of engagement, these concerns will be referred to Children's Social Care. Whilst a failure to respond to the informal enquiries of the local authority will not in itself be evidence of safeguarding concerns, a repeated and persistent failure to respond, together with other contextual information, may in certain circumstances cause the local authority to consider the need for further action.

9.4 Once information is received that a family has expressed an intention to home educate their child, contact will be made with Social Care to establish whether the family is/has been known to that agency. If the family is/has been known to Social Care, information will be gathered and an assessment made as to whether there are any safeguarding issues which may need to be considered. The fact that a family is known to Social Care is not in itself grounds for having safeguarding concerns.

9.5 If the parents of a child who is subject to a child protection (CP) plan or is a child in need (CIN) declare an intention to home educate, the local authority will usually oppose this, unless it can be demonstrated that home education will be in the child's best interests and will not prejudice the effective implementation of the child's CP plan. CBC acknowledges that parents can decide to EHE at any time. However, it



considers that, where a child is made subject to a CP plan, currently subject to a child protection plan, or is child in need, the conference chair/ chair of the child in need meeting will make clear that if the parent/carer has already removed their child to EHE, or states an intention to do so, the risk will be re-considered in light of this information, with the likelihood that the child could be considered unsafe as a consequence.

On receipt of the information that parents have/intend to undertake EHE, the Conference Chair (CP), or the Team Manager, or the CIN Review Chair, will:

- If necessary, ensure the plan is changed or reviewed to protect the child at the next Child Protection Conference, Core Group or Child in Need meeting.
- Consider if a strategy discussion is required.
- Outline what harm is likely.
- Assess the risk to the child, to include health and well-being, and record how the risk is increased as a result of continuing to or starting to educate the child at home, and record this within the minutes of the meeting.
- Amend the plan to reflect the necessary actions that need to be taken, which may include a request to start a school attendance order under Section 437 of Education Act 1996 if the legislative criteria is met.

Where any risk/educational assessment indicates that EHE is acceptable, the above professionals and allocated social worker will ensure that the plan will include increased home visits to regularly check that the child is safe whilst not in education, and that quarterly visits by the EHE team will form part of any future agreement with the family should the case be 'stepped down'.

## **10. School Attendance Orders:**

Serving of school attendance orders:

"If –

- (a) a parent on whom a notice has been served under subsection (1) fails to satisfy the local authority, within the period specified in the notice, that the child is receiving suitable education, and
- (b) in the opinion of the authority it is expedient that the child should attend school, the authority shall serve on the parent an order (referred to in this Act as a "school attendance order"), in such form as may be prescribed, requiring him to cause the child to become a registered pupil at a school named in the order."

10.1 In considering whether Central Bedfordshire is satisfied by the parent's response to the Section 437(1) notice, we will consider any other relevant information available, not only with the family, but also information provided by other agencies/sources and the child's former school (if any), as to the child's circumstances and needs.

10.2 The information provided by parents should demonstrate that the education being provided is suitable and addresses issues such as progression expected and

(unless the home education has only just started) achieved. It should not be simply a statement of intent about what will be provided, or a description of the pedagogical approach taken. This would not enable the local authority to reach a legitimate conclusion that a suitable education is being provided.

10.3 Local authorities considering whether they should serve a Section 437(1) notice in a specific case should note that current case law means that a refusal by parents to provide any information in response to informal enquiries will in most cases mean that the authority has a duty to serve a notice under Section 437(1).

Section 437(3) relates to whether the authority considers that it is beneficial for the child to attend school. If the home education is not suitable in terms of Section 7, then normally it would be expedient. However, there are cases when this would not be suitable:

- The child is within a few weeks of ceasing to be of compulsory school age
- The child has physical, medical or educational needs leading to extreme vulnerability in a school setting.
- The parent is actively working with the local authority to improve the home education and seems likely to achieve suitability.

10.4 At any stage following the issue of the order, parents may present evidence to the local authority demonstrating that they have now made satisfactory arrangements for the child's education and apply to have the order revoked. This evidence must be considered, and the order must be revoked unless the authority is of the opinion, having considered the evidence, that the parents have not made satisfactory arrangements. If the local authority refuses to revoke the order, parents can choose to refer the matter to the Secretary of State.

10.5 Whether or not the parents have sought revocation and intervention by the Secretary of State, if they do not cause the child to be registered at a school, and regularly attend it, then the local authority will consider prosecution, and will proceed with this unless there is very good reason presented under Section 447(1) of the 1996 Act. The local authority will consider, either as an alternative to prosecution, or as well as prosecution, making an application for an Education Supervision Order.

10.6 If the local authority does prosecute the parents for not complying with the school attendance order, then it will be for a court to decide whether or not the education being provided is suitable, full-time and efficient. The court can direct that the order shall cease to be in force if it is satisfied that the parent is fulfilling his or her duty.

10.7 The offence of not complying with a specific school attendance order is only committed once. Therefore, if a parent is convicted and fined, but still does not send the child to school, the process of serving a notice under Section 437(1) and, if necessary, serving a further order under Section 437(3) must be undertaken again.

## **11. Education Supervision Orders**

11.1 In many cases the use of an education supervision order (ESO) under Section 36 of the 1989 Act will in any case be appropriate and sufficient. These orders are made under Section 36 of the Children Act 1989. They give local authorities a formal supervisory role in the education of children who are subject to them.

11.2 The High Court, or the Family Court, can make an order if satisfied that a child of compulsory school age is not receiving efficient full-time education suitable to the child's age, ability and aptitude and to any special educational needs they may have. Where a school attendance order is in force for the child, but has not been complied with, there is a presumption that the child is not receiving a suitable education unless the contrary is demonstrated. An ESO continues to be in force so long as determined by the court.

11.3 An ESO will be considered as an alternative to, or as well as, prosecution for non-compliance with a school attendance order.

11.4 Should an ESO be made, the local authority will give consideration to the 'wishes and feelings' of the child and the parent(s); which might result in improved home education. However, an ESO imposes a duty on parents to allow the supervisor (the local authority) reasonable contact with the child.

11.5 Persistent failure to comply with direction given under an ESO is an offence unless the parent can show that they have taken all reasonable steps to comply, or that the direction is unreasonable. Should parents not comply, the local authority may make an application to the court for a care order under Section 31 of the Children Act 1989.

## **12.0 Local Authority Management of Elective Home Education**

12.1 The local authority manager with responsibility for EHE is the Access and Inclusion Manager, who line manages the Elective Home Education (EHE) Team. The EHE team aim to positively engage with home educating families.

12.2 The EHE team are empathetic towards the range of approaches and philosophies which home educating families use, and recognise that there are many, equally valid approaches to educational provision.

12.3 To enable the local authority to consider whether a child is receiving a suitable education, the EHE Officer's will request that parents supply sufficient evidence to reach this conclusion.

12.4 The local authority will reasonably expect EHE provision to include the following characteristics:

- Progression.
- An education which 'achieves what it is intended to achieve'.
- The amount of time spent on education; (the learning time must fill a large part of the child's life).
- Consistent involvement of parents or other significant carers in the learning.
- Opportunities to develop English (reading, writing, speaking and listening) and maths skills.
- Recognition of the child's needs, attitudes and aspirations.
- Access to appropriate resources and learning environment.
- Opportunities to partake in physical activity.
- Opportunities to develop ICT skills.
- Opportunities for appropriate interaction with other children and adults.
- An education which allows for later access to further/higher education.
- An education which is aiming at enabling the child, when grown-up, to function as an independent citizen in the UK - and furthermore, beyond the community in which he or she was brought up.

12.5 Various forms of evidence as to the suitability of the provision may be agreed with the parents.

12.6 The local authority recognises that for most home-educated families its contact may be brief and at least annual.

12.7 The local authority must consider any response made by the parent, a decision will be made by the local authority as to whether the education which the child is receiving appears to be suitable.

12.8 Should a home educating parent wish to make a complaint about, or to challenge the assessment made by, the local authority this should be done in writing and addressed to the Access and Inclusion Manager within 28 days.

## Appendix 1

### EHE – Local Authority Response

#### Procedures

#### Step 1 – Notification and Initial Contact

Information is received that a family has expressed an intention to home educate their child.

An EHE Referral form is completed by the school and the child's details are verified on PSS (the local authority's education database).

In the case of children who have never been on the roll of a Central Bedfordshire school, contact is made with the parents through EHE Officer, using Letter 1. Support and advice are offered and local authority practice in relation to EHE is explained.

Contact will be made with Children's Services to establish whether the family is/has been known to that agency. If the family is/has been known to Social Care information will be gathered and an assessment made as to whether there are any safeguarding issues which may need to be considered. The fact that a family is known to Social Care is not in itself grounds for having safeguarding concerns.

If the child is known to have an EHC plan, contact is made with the SEND team.

If we are notified a child is EHE and the child is or was on the roll of a Central Bedfordshire school, contact is made with the school to confirm that the parents have expressed an intention to home educate and to confirm the child's removal from the school roll (unless the child attends a special school).

Consideration may be given to suggesting to the parents, through the EHE team, that a meeting be held at the school to establish that the parents are choosing to home educate for positive reasons. If the parents decline to participate in such a meeting, or if following such a meeting the parents continue to maintain their intention to home educate, then the EHE process continues.

## **Step 2 — Letter 1**

Letter 1 is sent to the parents the preferred method of engagement with the family will be via a face to face meeting either at the family's home or another acceptable venue.

## **Step 3 — Response to Letter 1**

Parents respond positively to Letter 1, evidence/report is provided. The information is reviewed and recorded on the database. A written response is sent to the parents/carers and a review date recorded.

If the provision is considered as being only partially suitable, the EHE Officer notifies the parents in writing, identifying those issues which need to be addressed before the provision appears suitable. The parents will be advised of an appropriate timescale within which the suggested improvements might be made.

## **Step 4 — No Response to Letter 1, send Letter 2**

If the parents fail to respond to Letter 1 after 21 days, then Letter 2 is sent.

If the parents respond positively to Letter 2 then the process outlined in step 3 above is followed.

## **Step 5 — No Response to Letter 2, send Letter 3 / SAO 1 and 2.**

If the parents fail to respond to Letter 2 after 21 days, then Letter 3 / SAO 1 and 2 is usually sent.

If the parents respond positively to Letter 3 / SAO 1 and 2 then the process outlined in step 3 above is followed.

**Step 6 — No Response to Letter 3**

If the parents fail to respond to Letter 3 / SAO 1 and 2 after 14 days, then a home visit may be carried out.

**Step 7 - No response to contacts**

The process leading to the serving of a School Attendance Order is initiated.

The child will not be recorded on our system as EHE and instead will be recorded as a child missing in education.

## Appendix 2

*Department for Education: Elective home education. Departmental guidance for parents April 2019*

### **What is 'efficient' education?**

An efficient education, within the meaning of s.7, is one which achieves what it sets out to achieve. It is important this concept is not confused with suitability. A wholly unsuitable education can be efficiently delivered – but would still be unsuitable.

### **What is a 'full-time' education?**

There is currently no legal definition of what constitutes 'fulltime' education, either at school or in the home. Although home education is not required to replicate school timetables, as a guide, in state schools, children of compulsory school age normally receive around 4.5-5.0 hours of education a day, for about 190 days a year. However, in home education there is often continual one-to-one contact; education may take place outside normal 'school hours' and term time, and the type of educational activity can be varied and flexible. Despite this greater flexibility inherent in home education, local authorities should be enabled by parents to measure the overall time devoted to home education of a child on the basis of the number of hours per week, and weeks per year so that this information can be set alongside that relating to suitability to ensure that the home education meets the requirements of section 7.

Education which clearly is not occupying a significant proportion of a child's life (making due allowance for holiday periods) will probably not meet the s.7 requirement.

### **What is a 'suitable' education?**

'Suitable' 9.2 Article 2 of Protocol 1 of the European Convention on Human Rights states that: "No person shall be denied the right to education. In the exercise of any functions which it assumes in relation to education and to teaching, the State shall respect the right of parents to ensure such education and teaching is in conformity with their own religious and philosophical convictions."

This means that the wishes of parents are relevant. However, it does not mean that parents are the sole arbiters of what constitutes a suitable education.

There is no definition of a 'suitable' education in English statute law. A court will reach a view of suitability based on the circumstances of each child and the education provided.

However, clearly a local authority must have a basis on which to reach the decisions called for in s.437 of the Education Act 1996 as to whether the education being provided is suitable.

The term 'suitable' should be seen in the following light:

a. it should enable a child to participate fully in life in the UK by including sufficient secular education. This means that even if the home education is primarily designed to equip a child for life within a smaller community within this country it should not foreclose the child's options in later life to adopt some other mode of living, and to be capable of living on an autonomous basis so far as he or she chooses to do so.

b. notwithstanding (a), the home education provision does not need to follow specific examples such as the National Curriculum, or the requirement in academy funding agreements for a 'broad and balanced' curriculum. However, if the home education does consist of one or more of those, then that would constitute strong evidence that it was 'suitable' in terms of s.7;

c. to be 'suitable', education at home should not directly conflict with the Fundamental British Values as defined in government guidance, although there is no requirement to teach these;

d. the first sentence of ECHR Article 2 of Protocol 1 quoted above confers the fundamental right to an effective education. Local authority may specify minimum requirements for literacy and numeracy, whilst accepting that these must be applied in relation to the individual child's ability and aptitudes;

e. Education must be age-appropriate, enable the child to make progress according to his or her particular level of ability, and should take account of any specific aptitudes (for example if a child is very good at mathematics, it might focus more on that than some other subjects although it may well be a good starting point in assessing suitability). Consideration can be given to attainment in line with the national norms for children' of the same age;

f. factors such as very marked isolation from a child's peers can indicate possible unsuitability. Suitable education is not simply a matter of academic learning but should also involve socialisation;

g. any assessment of suitability should consider the environment in which home education is being provided. Most obviously, home accommodation which is noisy and/or cramped is likely to make it very difficult for a child to learn and make satisfactory progress. Environmental factors such as these may therefore prevent a child receiving suitable education.

Local authorities should also be alert to any evidence that the home, in which education is being provided has defects which may be a risk of harm. Any such evidence may be relevant in considering the use of safeguarding powers;



h. local authorities should not set rigid criteria for suitability which have the effect of forcing parents to undertake education in particular ways, for example in terms of the pattern of a typical day, subjects to be followed and so on.

The DFE does not believe that it is in the interests of home educated children, parents or local authorities for there to be detailed centralised guidance on what constitutes suitability. Each case must rest on a balance of relevant factors depending on the circumstances of each child.

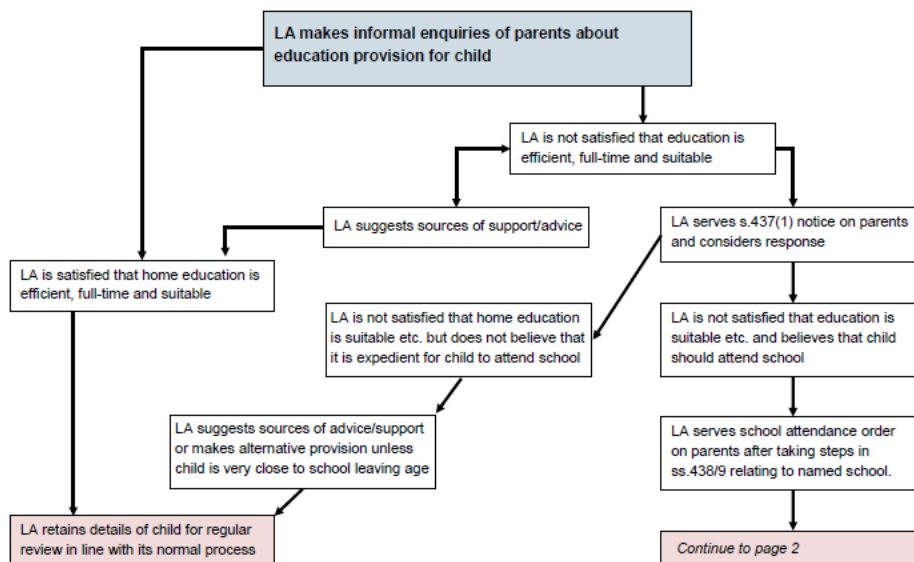
*Department for Education: Elective home education. Departmental guidance for parents April 2019*

## Flow Charts:

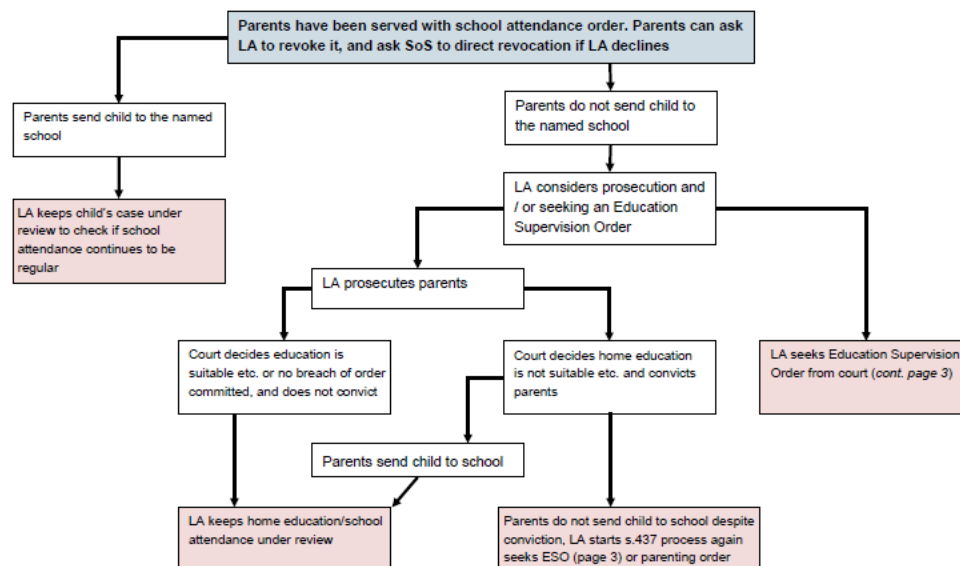
Main steps which can be taken once it is apparent that there is a question as to whether a child is receiving suitable home education. Not all the steps shown will be applicable in all cases.

*DFE, Elective home education Departmental guidance for local authorities April 2019*

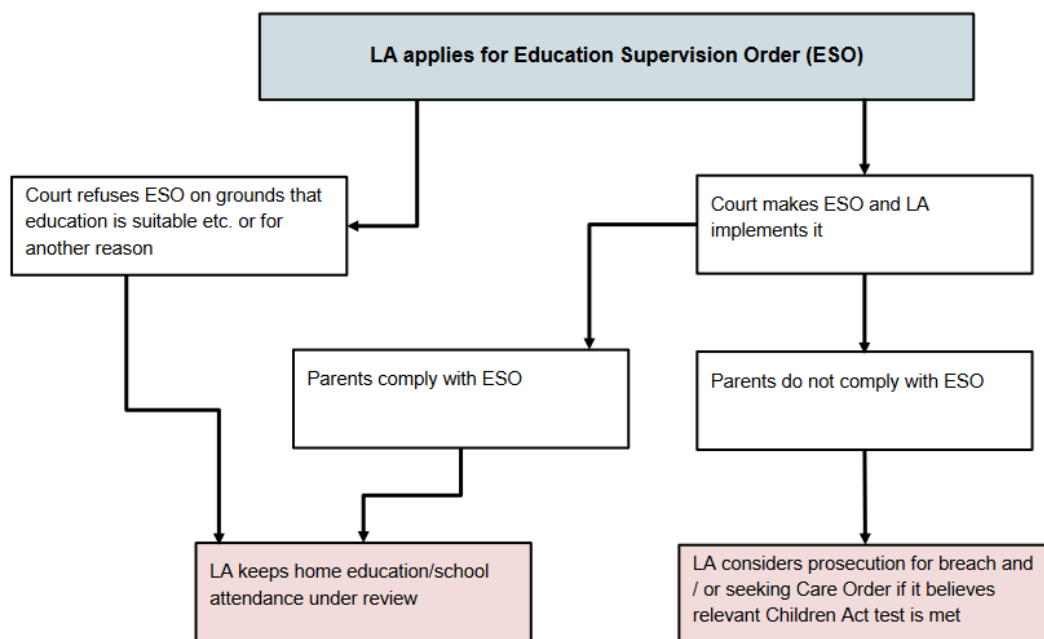
Flow chart 1



Flow chart 2



**Flow chart 3**



# **Central Bedfordshire in contact**

**Find us online:** [www.centralbedfordshire.gov.uk](http://www.centralbedfordshire.gov.uk)

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